

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

BAYSTATE HEALTH SYSTEM, INC.,	)	Civil Action No. 04-30099-MAP
Plaintiff,	)	
	)	
v.	)	
	)	<b>Joint Scheduling Statement</b>
JAMES CALDAROLA and	)	
JEFFREY HALLS,	)	
d.b.a. BAYSTATE HEARING AIDS,	)	
Defendants.	)	
	)	

**JOINT SCHEDULING STATEMENT FOR INITIAL SCHEDULING CONFERENCE**

Pursuant to the Notice of Scheduling Conference dated July 21, 2004, and in accordance with Federal Rule of Civil Procedure 16(b) and Local Rule 16.1, counsel for Plaintiff and counsel for Defendants submit the following:

**A. Proposed Agenda of Matters to Be Discussed At Scheduling Conference**

1. Establishment of a Pretrial Schedule, including discovery, motions, amendments to pleadings and case management conference.
2. Plaintiff's settlement proposal and Defendants' response thereto.
3. Election not to proceed before the Magistrate.

**B. Proposed Pretrial Schedule**

<u>Event</u>	<u>Deadline</u>
1. Completion of automatic disclosure	September 14, 2004
2. Filing of amendments to pleadings	February 1, 2005
3. Completion of non-expert discovery, including non-expert depositions, and case management conference	March 1, 2005
4. Disclosure of expert witnesses per Fed. R. Civ. P. 26(a)(2)	April 1, 2005
5. Additional expert disclosures intended to contradict or rebut a party's expected expert testimony	May 2, 2005
6. Completion of depositions of expert witnesses	July 1, 2005
7. Filing of dispositive motions	September 1, 2005

- 8. Filing of opposition to dispositive motions October 1, 2005
- 9. Filing of replies to oppositions to dispositive motions October 15, 2005

**C. Settlement Proposal**

Plaintiff has submitted a settlement proposal to counsel for Defendants.

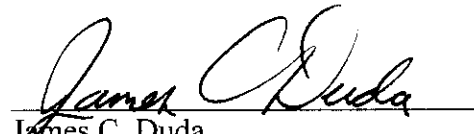
**D. Certification of Counsel Regarding Budget and Alternative Dispute Resolution**

Certifications signed by counsel and a representative of each party affirming that the party has conferred with counsel regarding establishing a budget for the costs of litigation and regarding use of alternative dispute resolution in this litigation will be submitted to the Court at the initial scheduling conference on August 31, 2004.

Dated: August 6, 2004

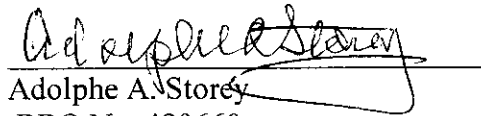
Respectfully submitted:

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